

ORIGINAL

UNITED STATES DISTRICT COURT

for the
District of Hawaii

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

OCT 15 2009

at 2 o'clock and 10 min. M.
SUE BEITIA, CLERK

United States of America

Plaintiff

v.

Michael William Flaherty, et al

Defendant, Third-party plaintiff

v.

Harris Investor Services, Inc.

Third-party defendant

Civil Action No. CV08-000493 SOM KSC

SUMMONS ON A THIRD-PARTY COMPLAINT

To: (Third-party defendant's name and address) Ms. Barbara Hardy
Harris Investor Services, Inc.
Compliance Analyst
311 West Monroe Street, 14th Floor
Chicago, IL 60606

A lawsuit has been filed against defendant Michael William Flaherty, who as third-party plaintiff is making this claim against you to pay part or all of what the defendant may owe to the plaintiff United States of America.

Within 20 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(3) — you must serve on the plaintiff and on the defendant an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the defendant or defendant's attorney, whose name and address are:

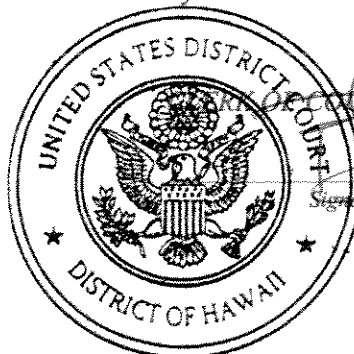
Michael William Flaherty
P. O. Box 1308
Kapaa, HI 96755-1308

It must also be served on the plaintiff or plaintiff's attorney, whose name and address are:
Jeremy N. Hendon, Trial Attorney, Tax Division
U. S. Department of Justice, P.O. Box 683, Ben Franklin Station
Washington DC 20044-0683

If you fail to respond, judgment by default will be entered against you for the relief demanded in the third-party complaint. You also must file the answer or motion with the court and serve it on any other parties.

A copy of the plaintiff's complaint is also attached. You may — but are not required to — respond to it.

Date: OCT 15 2009



Signature of Clerk or Deputy Clerk

Civil Action No. CV08-000493 SOM KSC

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: